

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.)
) CRIMINAL NO. 04-10331-GAO
RICHARD E. CZYRAS

JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(A)

The United States and counsel for Defendant RICHARD E. CZYRAS file this Joint Memorandum Pursuant to Local Rule 116.5(A) as follows:

1) Neither party seeks relief from the timing requirements imposed by L.R. 116.3.

2) The parties do not anticipate presenting any expert testimony.

3) The parties do not anticipate providing additional discovery as a result of future receipt of information, documents, or reports of examinations or tests.

4) The defendant may file a motion to suppress and requests the Court to set a date for filing this or other motions under Fed.R.Crim.P. 12(b)(3).

5) The Court has previously entered an Order excluding the period November 15, 2004, through December 13, 2004. The parties agree that the period between December 13, 2004, and the date of the next status conference requested in paragraph 7, also should be excluded for purposes of the Speedy Trial Act.

6) The parties believe that it is likely this case will be resolved by plea and that no trial will be necessary. If the case does go to trial, the parties estimate it would last about two days.

7) The parties request that another status conference be scheduled toward the end of February 2005.

Respectfully submitted,

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